

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHAEL ALAF GETTER,

Petitioner,

No. 12-11705

vs.

Hon. Gerald E. Rosen

WILLIE SMITH,

Respondent.

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ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION AND  
DISMISSING PLAINTIFF'S HABEAS CORPUS ACTION

This matter having come before the Court on the September 5, 2013 Report and Recommendation of United States Magistrate Judge Paul J. Komives recommending that the Court deny Petitioner Michael Alaf Getter's petition for a writ of habeas corpus, decline to issue a certificate of appealability, and dismiss this case with prejudice; and Petitioner having timely filed Objections to the Report and Recommendation;<sup>1</sup> and the Court having reviewed the Magistrate Judge's Report and Recommendation, the Objections thereto, and the Court's file of this action and having concluded that, for the reasons stated in the Report and Recommendation, Mr. Getter's petition for habeas corpus relief should be denied; and the Court being otherwise fully advised in the premises,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation

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<sup>1</sup> Petitioner was granted an enlargement of time within which to file his objections and he complied by filing his objections within the period of time allowed.

of September 5, 2013 be, and hereby is, adopted by this Court.

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Michael Alan Getter's petition for habeas corpus relief be, and hereby is DENIED, and

IT IS FURTHER ORDERED that a Certificate of Appealability and Leave to Appeal *in Forma Pauperis* is DENIED. Accordingly,

IT IS FURTHER ORDERED that this case is DISMISSED, with prejudice.

s/Gerald E. Rosen  
Chief Judge, United States District Court

Dated: January 29, 2014

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 29, 2014, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5135